THE HONOURABLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE

R.SUBHASH REDDY

-

WRIT PETITION Nos. 20427 & 21508 OF 2005

Dated 22nd November, 2005

W.P.No.20427 of 2005

Between:

P.Murali Manohar Reddy

… Petitioner

And

The District Collector, Nizamabad and

others. … Respondents.

W.P.No.21508 of 2005

Between:

P.Laxma Reddy … Petitioner

And

The Gram Panchayat, represented by

Sarpanch, Donkeshwar village,

Mandipet Mandal, Nizamabad District

And two others.

… Respondents.

ORAL COMMON ORDER:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

Heard learned counsel for the petitioners. Both the writ petitions are being disposed of by this common order.

The petitioners are aggrieved by the action of the respondents in constructing some platform for drying up of the agricultural produce. According to them, the land on which the platform is being constructed was kept as an open space.

In the counter-affidavit filed by the 2nd respondent in W.P.No. 20427 of 2005, it has been stated that earlier a village got submerged because of construction of a Project, and, therefore, a new village was formed. It is submitted that it was true that some places were left for public purpose, but, after the formation of the new village, farmers were facing problems to protect their products as there is no place to dry the paddy and to load the products to the market, which resulted in inferior quality being produced from the village and the villagers were suffering and were not even getting minimum price. Therefore, the villagers and the farmers approached the Gram Panchayat with a request to construct a platform. The villagers discussed the problems of the farmers and decided to take steps to construct a platform. Third respondent committee collected Rs.50,000/- from all the farmers and deposited the same with the Gram Panchayat. The Gram Panchayat passed a resolution to that effect and it was sent to the District Panchayat Officer for approval. The petitioner approached the District Panchayat Officer to stay construction of platform. Thereafter, the villagers met the District Panchayat Officer and explained him the reasons and necessity for construction of the platform. The District Panchayat Officer directed the 2nd respondent to proceed with the resolution of the Gram Panchayat.

Since the Gram Panchayat has passed a resolution and there is no material before us that construction of platform will be detrimental to the ecology of the village and it has been explained that this platform is, in fact, needed for the welfare of the village, we feel that the writ petitions are misconceived and have not been filed in public

interest but have been filed for projection of some of the personal interests of the petitioners. The Writ Petitions are, therefore, dismissed. No costs.

_____

(BILAL NAZKI, ACJ)

22.11.2005.

_____

(R.SUBHASH REDDY, J)

VR.